

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-7514-2022 (O&M)

Date of Decision: 07.07.2022

RAJ KUMAR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sunil K Nehra, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. JS Hooda, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.140 dated 08.06.2021, registered at Police Station Chhainsa, Faridabad, under Sections 148, 149, 341, 324, 307, 379-B and 506 IPC and Section 25 of the Arms Act, 1959 (final report submitted under Sections 324, 325, 341, 307, 506 and 34 IPC and Section 25 of the Arms Act, 1959).

Learned counsel for the petitioner contends that the allegation against the petitioner is that he had caught hold of Parveen and the petitioner along with Ajit gave an iron rod injury on the person of Naveen; that it is beyond common knowledge as to how one injury could be inflicted by two persons; that it is a case of version and cross-version and it is yet to be ascertained as to which party was the aggressor one; that the challan stands presented, and that the petitioner has been in custody since 12.07.2021. He further submits that co-accused, Satish has

since been granted the concession of regular bail by this Court, vide order dated 03.02.2022.

On the other hand, learned State counsel, assisted by the learned counsel for the complainant, does not dispute the custody period of the petitioner. He, however, submits that the petitioner along with co-accused, namely, Ajit, had inflicted iron rod injury on the jaw of Naveen. He further submits that there are total 21 prosecution witnesses, out of whom only one has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 12.07.2021. No specific injury has been attributed to the petitioner. Co-accused has already been enlarged on bail. Learned State counsel is unable to state as to which accused had inflicted an iron rod injury on the jaw of Naveen. It is a case of version and cross-version. Most of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

07.07.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*